

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

NO. 4:13-cv-53-D

JAMES C. FOX, JR.,

Plaintiff,

vs.

CAROLYN COLVIN  
Acting Commissioner of Social Security,

Defendant.

CONSENT ORDER FOR PAYMENT OF  
FEES AND COSTS PURSUANT TO THE  
EQUAL ACCESS TO JUSTICE ACT

This matter being submitted to the Court for entry of a Consent Order agreed to by the parties, and it appearing that Plaintiff, by and through his attorney, has executed this Consent Order, and Defendant has executed this Consent Order, by and through the undersigned Special Assistant United States Attorney; and it appearing that the parties have agreed to an award to the Plaintiff of \$6,500 for attorney fees in full and final settlement of all claims arising from the above captioned case pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d); and it appearing further that the Plaintiff has assigned his right to payment of such fees and costs to his attorney:

It is therefore ORDERED, this the 6 day of March, 2014, that the Plaintiff shall be, and hereby is, awarded the sum of \$6,500 for attorney fees in full satisfaction of any and all claims against the Defendant arising from the above captioned case under the EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sum, the Defendant shall be discharged from any further liability for fees, costs or expenses up until this point in time; and it is further

ORDERED, that in accordance with Plaintiff's assignment of EAJA fees, if there is no debt that qualifies under the Treasury Offset Program, the award will be made payable to Janet

M. Lyles, Davis, Murrelle, & Lyles, P.A., 912 Arendell Street, PO Box 3605, Morehead City, NC, 28557. If there is such a debt, any amount remaining after offset will be made payable to Plaintiff and sent to Plaintiff's counsel at the address set forth above.

  
JAMES C. DEVER III  
Chief United States District Judge

CONSENTED TO:

/s/ Janet M. Lyles  
Attorney for Plaintiff  
Davis, Murrelle, & Lyles, P.A.  
912 Arendell Street  
PO Box 3605  
Morehead City, NC 28557  
Telephone: 252-726-2000  
Fax: 252-222-3202  
E-mail: [jlyles@nccoastlaw.com](mailto:jlyles@nccoastlaw.com)  
N.C. State Bar No. 12476

/s/ Christian M. Vainieri  
Attorney for Defendant  
Special Assistant United States Attorney  
Social Security Administration  
Office of the General Counsel  
Room 617, Altmeyer Building  
6401 Security Boulevard  
Baltimore, Maryland 21235  
Telephone: 410-965-4686  
Fax: 410-965-3107  
E-mail: [Christian.vainieri@ssa.gov](mailto:Christian.vainieri@ssa.gov)  
New York Bar